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6 ATTORNEYS FOR PLAINTIFFS

7  
8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

9 \* \* \*

10 The Estate of MARILYN BURGARD,  
11 Deceased, by and through KEVIN HORAN  
12 its Special Administrator,

CASE NO.: 2:15-cv-00833-RFD-GWF

13 Plaintiff,

14 vs.

15 BANK OF AMERICA, N.A., a foreign  
Corporation; AETNA LIFE INSURANCE  
16 COMPANY, a foreign Corporation; DOES I  
through X; and ROE CORPORATIONS I  
17 through X.

18 Defendants.

19  
20 **STIPULATION AND ORDER EXTENDING THE TIME TO FILE OPPOSITION TO**  
**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT REGARDING ERISA**  
**PREEMPTION AND ELIGIBILITY FOR BENEFITS AND SUPPLEMENT**  
**(First Request)**

21 The Parties have stipulated to give Plaintiff a seven (7) day extension of time to file the  
22 Opposition to Defendants' Motion for Summary Judgment Regarding ERISA Preemption and  
23 Eligibility for Benefits (ECF No. 47) and Supplement (ECF NO. 65) in this matter. The reasons  
24 supporting this stipulation are as follows: Plaintiffs counsel has been in several mediations and  
25

1 depositions.

2 The Parties request a seven day extension of time, up to and including, January 26, 2017, for  
3 Plaintiff to file its Opposition. The Defendant shall have fourteen (14) days after the Omnibus  
4 Opposition is filed to file a reply brief. This is the first extension of time requested by the Parties  
5 related to this Motion (ECF No. 47).  
6

7 IT IS STIPULATED AND AGREED by and between the parties that Plaintiff shall have up  
8 to and including January 26, 2017, to file its Opposition to Defendants' Motion for Summary  
9 Judgment Regarding ERISA Preemption and Eligibility for Benefits (ECF No. 47) and Supplement  
10 (ECF NO. 65 ). The Defendant shall have fourteen (14) days after the Omnibus Opposition is filed  
11 to file a reply brief  
12

13 Dated this 23<sup>rd</sup> day of January, 2017.

13 Dated this 23<sup>rd</sup> day of January, 2017.

14 /s/ Jerome R. Bowen, Esq.  
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Attorneys for Plaintiffs

21 /s/ Robert S. Larsen, Esq.  
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Las Vegas, Nevada 89101  
25 Attorneys for Defendants Aetna Life Insurance  
Company and Bank of America

26 IT IS SO ORDERED.  
27

  
28 RICHARD F. B OULWARE, II  
United States District Court  
29  
30 DATED this 26th day of January, 2017.  
31  
32